

PROPERTY CLERK, NEW YORK CITY POLICE DEPARTMENT, Petitioner.,

v.

MARK KAPITI, Respondent(s).

PETITION AND NOTICE OF HEARING

A 2006 ACURA, was seized by the New York City Police Department on MAY 15, 2006 under property clerk invoice (voucher) #B103699, as the alleged instrumentality of a crime, pursuant to section 14-140 of the New York City Administrative Code. It is the intention of the Police Department to commence a civil forfeiture proceeding in order to confiscate the vehicle, and to retain the vehicle until the conclusion of those proceedings. Your acceptance of a hearing to contest the Police Department's retention of the above mentioned vehicle was received by the Police Department on May 23, 2006. The hearing has been scheduled for:

DATE: JUNE 05, 2006

TIME: 2:00 PM

PLACE: New York City Office of Administrative Trials and Hearings (OATH)
40 Rector Street, 6th Floor
New York, New York 10006-1705
Phone: (212) 442-4900
FAX: (212) 442-8910
TDD: (212) 442-4939

In cases in which the District Attorney has determined that the vehicle is needed as evidence in a criminal proceeding, including any appeals in any such proceeding, the hearing may not be held during the period the vehicle is so needed.

At the hearing, you have the right to be present in person, and you have the right to be represented by an attorney or other representative. If you choose to be represented by an attorney or other representative, that person must file a notice of appearance with OATH prior to the commencement of the hearing. If you fail to appear at the hearing, either in person or by an authorized representative, the presiding judge may declare you to be in default, may determine that you have waived your right to a hearing, may decide the case against you in your absence, and may make other determinations in your absence.

You have a right to file an answer to this petition with OATH before the commencement of the hearing. OATH's rules of practice and procedure are published in title 48 of the Rules of the City of New York, and copies are available at OATH's offices.

New York City Police Department
Legal Bureau, Civil Enforcement Unit
By:


Gina Klein

2 Lafayette Street, 5th Floor
New York, New York 10007
(917) 454-1111 S# 06/1678